

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

*The Muscogee (Creek) Nation v. Purdue
Pharma L.P., et al.,*
Case No. 1:18-op-45459-DAP

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**GENERIC MANUFACTURERS' MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Generic Manufacturers¹ move this Court to dismiss all claims asserted against them in Plaintiff's Amended Complaint for failure to state a claim upon which relief can be granted. This Motion will be supported by the pleadings, the record, a Memorandum of Law in Support of the Generic Manufacturers' Motion to Dismiss Plaintiff's First Amended Complaint, which is filed contemporaneously herewith and incorporated herein by reference, oral argument, and any other evidence requested or permitted by the Court.

WHEREFORE, the Generic Manufacturers respectfully request that the Court grant their Motion in its entirety and dismiss all of Plaintiff's claims against them with prejudice.

¹ The Generic Manufacturers are KVK-Tech, Inc., Amneal Pharmaceuticals, Inc., Teva Pharmaceuticals USA, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., and Allergan Finance, LLC.

Dated: August 31, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2018, a copy of the foregoing **Generic Manufacturers' Motion to Dismiss Plaintiff's Amended Complaint** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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